

CHRB NEWS & REVIEW

NEWSLETTER OF THE CALIFORNIA HORSE RACING BOARD

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WOOD RETIRES AFTER 11 YEARS WITH CHRB

By Mike Marten
Editor News & Review

Roy Wood will be retiring December 30 after serving 11 years as executive director of the California Horse Racing Board.

By his own account, it has been a great part of his life, "and if it weren't for the medication issues, it would have been the best job in the world."

Wood was not the first executive director to deal with tough medication issues. His predecessor, Dennis Hutcheson, will never forget the word clenbuterol. And Leonard Foote before



ROY WOOD

him was at the helm when horses trained by some of the most prominent trainers in the country came up with cocaine positives.

But Wood was the first executive director to deal with these issues on almost a daily basis. Terms like nanograms, picograms, EPO, and shock wave therapy became part of his normal vocabulary.

And in many other ways, regulating the California horse-racing industry was much simpler in the years before Wood took over. He arrived on the scene in 1994, after the comparative

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MESSAGE FROM THE ASSISTANT EXECUTIVE DIRECTOR

(Assistant Executive Director Roy Minami provided the following update on racetrack security and TCO2 testing to the racing commissioners in November.)

The California Horse Racing Board and horse-racing industry have jointly made considerable progress in the area of stable area security during the last year, largely through the efforts of the Ad Hoc Security Committee that was formed last December, through steps taken by some of the racing associations, and through the generosity of Commissioner William Bianco and the Oak Tree Racing Association, who initially funded a survey that determined the improper use of alkaline substances in thoroughbred horse racing by measuring total carbon dioxide (TCO2) levels in blood samples taken from horses just before they raced.

This initial CHRB-sponsored survey and subsequent evaluations made by racing associations suggested there was some administration of bicarbonate and/or other alkaline substances, commonly known as "milkshakes," in apparent attempts to enhance the performances of horses in racing competition.

The intent of this practice is for alkaline substances to neutralize the lactic acid produced during intense exercise. Lactic acid causes muscle fatigue, so in theory, neutralizing lactic acid improves endurance.

Based on a level of 39 millimoles per liter of serum or plasma, the number of positive tests among a random survey of 600 horses during the first six months of the year at thoroughbred racetracks in Northern and Southern California represented about 1 percent of the samples collected. The number increased when the Del Mar Thoroughbred Club continued the testing on its own – reportedly reaching 10 percent at the start of the Del Mar meet at the level of 39 millimoles. The number of positives at Del Mar was even higher than 10 percent using the level of 37 millimoles, as is recommended in some jurisdictions. From a small sampling of horses racing at the short Fairplex meet, the number was 3 or 4 percent at 37/39 millimoles. The number went back down to less than 1 per-

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IN THE GOLDEN STATE

LEGISLATIVE UPDATE

The Legislature introduced nine horse-racing related bills during the second half of the 2003-2004 legislative session. Eight bills were passed and signed into law by the Governor during 2004.

AB 509, Assemblyman Jerome Horton, limits imported simulcast audiovisual signals of out-of-state thoroughbred races to 23 per day, and adds separate provisions to permit a thoroughbred racing association or fair to distribute the audiovisual signal and accept wagers on the results of out-of-country thoroughbred races without a daily limit.

AB 701 (Horton) provides workers' compensation relief in the thoroughbred industry by increasing the takeout on exotic wagers for all types of wagers (on-track, off-track, etc.) on thoroughbred races at thoroughbred racing associations and fairs by one-half of one percent (0.5%). The additional funds will be distributed by an organization formed pursuant to this bill to mitigate workers' compensation costs, and be audited by the California Horse Racing Board. The bill is effective until January 1, 2009.

AB 2164, Assemblyman George Plescia, extends a sunset date for a statewide marketing organization to market and promote thoroughbred and fair horse racing to January 1, 2006. This also extends a subsidy for workers' compensation insurance that is currently paid from funds allocated to this marketing program.

AB 2276, Assemblyman Mervyn Dymally, requires employers of backstretch workers to provide access to employment records to the administrator of the welfare program for backstretch personnel and horsemen in writing or electronically.

AB 2538, Assemblyman Tony Strickland, changes the definition of a California standardbred horse for the purposes of determining eligibility for the California Standardbred Sire Stakes Program, and contains related provisions.

SB 1183, Senator Bob Margett, allows a California harness racing association conducting a live racing meeting to accept wagers on the full card of races conducted by another racing association on the day that other association conducts the Breeder's Crown Stakes, the Meadowlands Pace, the Hambletonian, or the North American Cup.

SB 1227, Senator Nell Soto, prohibits the Board from allocating racing dates to a private thoroughbred association in the central or southern zones if a fair racing association is conducting racing in the central zone on the same dates, and if that fair is obligated to make payment on a capital expense loan incurred for the purpose of improving its facilities for horse racing. The bill contains related provisions.

SB 1288, Senator Betty Karnette, requires that an addition one-tenth of one percent (0.1%) of the amount handled at satellite wagering facilities on harness racing wagers be distributed to the California Standardbred Sires Stakes Program out of the share of the deduction dedicated to purses for harness horsemen.



CALENDAR

DECEMBER

- 2 – CHRB monthly meeting in Inglewood.
- 26 – Santa Anita thoroughbred meet opens.
- 26 – Golden Gate thoroughbred meet opens.
- 26 – Los Alamitos quarter-horse meet opens.

JANUARY

- 7 – Cal Expo harness meet opens.
- 20 – CHRB monthly meeting in Arcadia.

FEBRUARY

- 2 – Bay Meadows thoroughbred meet opens.
- 17 – CHRB monthly meeting in Arcadia.

THE EQUINE PRESCRIPTION

FROM THE DESK OF THE CHRB
EQUINE MEDICAL DIRECTOR



DR. RON JENSEN

The CHRB has approved changes to the medication rules. These changes are based on recommendations of the Racing Medication and Testing Consortium (RMTC), which is a national organization consisting of several racing organizations that represent owners, trainers, regulatory agencies, and veterinarians. One purpose of the consortium is to promote the development of uniform medication rules, policies, and testing procedures among racing jurisdictions throughout the United States.

The changes deal primarily with rules concerning non-steroidal anti-inflammatory drugs (NSAIDs) and bleeder medication. The amendments to Rule 1844 change the levels of two NSAIDs, flunixin and ketoprofen, which are allowed to be present in the post-race blood samples. The current level of flunixin allowed (0.5 micrograms per milliliter of blood plasma or serum) is being lowered to 20 nanograms per milliliter. The current level of ketoprofen (50 nanograms per milliliter of blood plasma or serum) is being lowered to 10 nanograms per milliliter.

The level of phenylbutazone allowed in a post-race blood sample remains at 5 micrograms per milliliter of blood plasma or serum. Only one of the three approved NSAIDs may be present in a post-race blood sample, as is currently the rule in California.

As amended, Rule 1845 regarding bleeders and bleeder medication no longer requires horses to demonstrate exercise induced pulmonary hemor-

rhage (EIPH), or bleeding, to qualify for the use of bleeder medication. It is pretty well agreed that all racehorses will experience EIPH at some time during their training and racing career. Therefore, if a trainer, in consultation with his or her veterinarian, feels that it is in the best interest of the horse to compete with furosemide, the horse will be allowed to race with furosemide in accordance with the rules. The

“The rule changes represent a fair bit of give and take in the interest of achieving uniformity. It is understood that national uniformity cannot be one jurisdiction’s idea of uniformity, but rather a consensus as to what should be included in uniform rules.”

Dr. Ron Jensen

trainer must notify the official veterinarian of this intention prior to entry.

Once a horse is registered to race with furosemide, that horse must race with the medication and must show a detectable amount of furosemide in the post-race samples. A horse may be removed from the bleeder medication list, but will then not be permitted to go back on the bleeder medication list for 60 days.

The current rule states that furosemide must be given no later than four hours prior to racing and by intravenous injection only, and that does not change. The dose of furosemide al-

lowed by the new rule is a range of 150 mg to 500 mg by intravenous injection. In addition, upon the request of a CHRB representative, the veterinarian administering the bleeder medication shall surrender the syringe used to administer such medication, which may then be submitted for testing.

The specific gravity of urine samples from horses competing with bleeder medication and that are selected for post-race testing will be measured to ensure samples are sufficiently concentrated for proper chemical analysis. If the specific gravity of the urine for horses competing with furosemide is below 1.010, the furosemide level of the corresponding post-race blood sample from the horse will be measured. A furosemide level over 100 nanograms per milliliter of blood plasma or serum will be a violation.

California is not alone in making these rule changes. At the September meeting of the executive board of the RMTC, it was reported that over 60% of the racing jurisdictions in the United States are in the process of adopting the rule changes recommended by the RMTC. The rule changes represent a fair bit of give and take in the interest of achieving uniformity. It is understood that national uniformity cannot be one jurisdiction’s idea of uniformity, but rather a consensus as to what should be included in uniform rules.



BE OUR GUEST...



The California Horse Racing Board believes the best way to regulate an industry is to be fully informed. The CHRB regularly solicits input from the public and the horse-racing industry, and this guest editorial page is one more forum for that purpose.

This guest editorial was submitted by Dan Fick, executive vice president and executive director of The Jockey Club. His topic touches on microchip technology, which is a subject the CHRB will be exploring this year in its review of security issues.

My experience with horse identifications runs through 25 years as an equine science major at the University of Arizona Race Track Industry Program, an AQHA Field Identifier, manager of the Quarter Horse tattoo and DNA parentage verification programs for race horses, and now, working with the International Stud Book Committee for Thoroughbreds.

I have had more than my fair share of identifying 2-year-old, first-time starters in the paddock, tracking horses from lip tattoos, solving parentage exclusions, and dealing with inadvertently switched horses. One thing I have learned is that horse identification is an art and a science, and no single method is fail-safe. You must look at the entire horse and use all of the available technology to be sure you have the right horse.

I say all of this because I now find myself as a co-chair of the Equine Species Working Group (ESWG) charged with developing a national equine identification program. This is part of the proposed U.S. Department of Agriculture (USDA) National Animal Identification System (NAIS) many of you have heard or read about in recent months.

Various sectors of American agriculture have been debating the issues surrounding the institution of a national animal identification system for over a decade. The primary purpose for a national ID system is to address animal health emergencies. The original proponents were the National Institute for Animal Agriculture (NIAA), the U.S. Animal Health Association (USAHA), and representatives of the livestock industry.

The diagnosis of a BSE (Bovine Spongiform Encephalopathy) positive “Mad Cow” in Washington State last December showed how important an accurate, rapid, individual animal identification system can be. This country’s state and federal animal health officials need to be able to trace the origin and movement of diseased and exposed animals, and to contain, control, and eradicate the

disease in order to mitigate the potential for devastating health and economic effects.

As an example, in 2001, Hoof and Mouth disease among livestock in England resulted in a nationwide quarantine for many months, and interrupted the movement of horses. The resulting losses to the livestock industries in the control and eradication of this outbreak numbered 10 million animals and \$13 billion. While this Hoof and Mouth outbreak raised concerns and sparked planning sessions, the Mad Cow occurrence crystallized the need and support for a national ID system.

On April 27, 2004, Secretary of Agriculture Ann M. Veneman expressed full support by the USDA and announced the framework for implementation of NAIS. Congress supports this initiative, and several bills have been introduced calling for the immediate implementation of this system.

The NAIS is intended to establish a standardized, alphanumeric system for the identification of livestock and the premises where livestock are kept or commingled. The purpose of such a system is to permit “trace back” within 48 hours of a confirmed diagnosis of an animal disease outbreak.

Ensuring animal health in the U.S., and thereby, our ability to move and market our animals, is the primary reason the animal agriculture industry is being asked to make recommendations for the development of a national, standardized, identification system for all species of livestock, including horses.

Many people ask why horses have to be included, and some are fearful of government intrusion into their horse-related activities. Horses have been included for several reasons, but the primary one is that horses can contract and/or carry infectious diseases that are not only transmissible to other horses, but in certain instances, also

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GEORGE SLENDER

A Real Sport

This is part of a series focusing on the experience, character, and responsibilities of the racetrack stewards, who are under contract with the California Horse Racing Board to officiate at all horse-racing meets in the state.

George Slender, a steward at California racetracks, always knew he would participate in a major sport. He just didn't know it would be horse racing.

Just drop by Santa Rosa Junior College and you'll understand why. There, near the entrance in the glass display case, you'll see Slender's name among the great Santa Rosa players inducted into the school's Hall of Fame for his excellence in football, baseball, and basketball.

He was good enough to receive a football scholarship from the University of Oregon. Good enough to sign a minor league baseball contract after spending one year at Oregon. And good enough, after being drafted into the Army in 1956, to play baseball throughout Europe on the military team during his two years of service.

Not that Slender didn't have an interest in horses even back then. He began riding when he was two years old, along with his brother, Tucker, who would go on to become a rodeo star and a leading rider at Hollywood Park. (When Tucker grew too large to ride, he joined the starting gate crew.)

"Our dad was an excellent horseman who trained horses for nearly 50 years, and we spent a lot of time with him at Golden Gate, Bay Meadows, and the fairs in the '40s," explained Slender. "I grew up around horses and I loved being around them, but I got away from horses when I started playing ball."

Baseball was fun and Slender loved the game, but after leaving the Army he had the good sense to think about his financial security. He tried training horses for a couple of years. When that didn't work out, he joined Tucker on the starting gate.

"I had a good job on the gate, but I was married with kids and had to think about the future," said Slender. "So, when curly Smith, the general manager at Los Alamitos, offered me a job as a junior official, I accepted the offer.

I started out in 1968 as a horse identifier and paddock judge at the quarter-horse meets at Bay Meadows and Los Alamitos. Two years later I moved up to placing judge. And then I made steward in 1972."

Slender officiated at quarter-horse meets into the mid-1980s. Then he began filling in at the major thoroughbred meets in Southern California.

"I worked my way into the rotation," he said, still using baseball terms after all these years.

Nowadays, Slender spends about half his time officiating the thoroughbred meets at Hollywood Park and Del Mar and the other half with quarter horses at Los Alamitos.

"The job has changed a lot," he said when asked to reflect upon his career. "The authority of the stewards has been greatly diminished. Attorneys are much more involved in the proceedings, and there are far more appeals than before.

"I've met some very fine people along the way. I've worked with some excellent stewards and learned a great deal from them.

"Truthfully, it's a great job. At times it can be a joy coming to work. The unexpected is always happening. You are required to make important decisions, and there's a sense of satisfaction that you get when you make a good decision, especially if it's a tough one and you know you did the right thing. In a lot of little ways, you help people – the grooms to the top executives. You work with them and you pull together, like a community.

"Being a steward, being a good steward, integrity comes first. Integrity is essential – above and beyond anything else. After that come organization and clear thinking. As a California steward, you wear many hats. You're responsible to a lot of people. A lot depends on you and your ability to make correct decisions."



STEWARDS ISSUED 44 RULINGS RELATING TO CLASS 1, 2, & 3 MEDICATION VIOLATIONS

The stewards at racetracks in California issued the following rulings during the first 10 months of 2004 relating to 23 cases involving the most serious medication violations for Class 1, 2, and 3 drug substances. Cases under appeal are so noted.

By rule, all fines must be paid to the paymaster within seven calendar days of the ruling or the person's license is suspended. And when suspended, licensees typically are denied access to all premises within the jurisdiction of the California Horse Racing Board (CHRB).

These rulings have been formatted (edited) for this publication. As verified by paymasters, purses were redistributed in all cases where the penalized horse finished well enough to earn a share of the purse.

Capitol Racing Assn (Cal Expo Harness)

CRA #81 February 7, 2004

Trainer Nicole Tremblay, who started Pleasure Seeker K in the first race at Capitol Racing on November 22, 2003, is hereby fined the sum of \$1,500 and suspended 15 days pursuant to CHRB Rule 1887 (Trainer to Insure Condition of Horse) for violation of CHRB Rule 1843 (Medications, Drugs, and Other Substances – Nordiazepam [Class 2]).

For good cause, the 15-day suspension of Nicole Tremblay shall be set aside and only enforced if a similar violation occurs during the term of license (10/06).

CRA #17 (UNDER APPEAL) March 24, 2004

Trainer Steve Wiseman, who started Azerbaijan in the first race on December 28, 2002, at Capitol Racing, Cal Expo, is hereby suspended for a period of 365 days commencing April 1, 2004, through and including March 31, 2005, for violation of CHRB Rule 1887 pursuant to CHRB Rule 1843 (Methamphetamine [Class 1]).

CRA #18 (UNDER APPEAL) March 24, 2004

Trainer Steve Wiseman is hereby suspended for a period of 30 days commencing April 1, 2005, through and including April 30, 2005, for violation of CHRB Rule 1890 (Possession of Contraband – Needles, Syringes, and Injectable Medication).

CRA #19 (UNDER APPEAL) March 24, 2004

Trainer Steve Wiseman, who started Paradise Beach N in the 10th race on July 18, 2003, at Capitol Racing, Cal Expo, is hereby fined the sum of \$1,500 pursuant to CHRB Rule 1887 for violation of CHRB Rule 1843 (3-0-Methyl Colterol [Class 3]).

CRA #20 (UNDER APPEAL) March 24, 2004

Trainer Steve Wiseman, who started Chip's Method in the 6th race on October 16, 2003, at Capitol Racing, Cal Expo, is

hereby fined the sum of \$1,500 pursuant to CHRB Rule 1887 for violation of CHRB Rule 1843 (Hydroxypropranol [Class 3]).

CRA #21 March 24, 2004

Acting on a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #M82448, taken from the horse Azerbaijan, the first-place finisher in the 1st race on December 28, 2002, at Cal Expo, tested positive for the prohibited drug Methamphetamine (Class 1), it is ordered that Azerbaijan be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5 (Disqualification Upon Positive Test Finding). It is further ordered that the owners of Azerbaijan return all purse monies to the paymaster of purses for redistribution in accordance with CHRB Rule 1760 (Purse Award or Prize to Be Held).

Revised order: 1st Abdullis; 2nd Soky's Dragon N; 3rd Atomic Cruiser N; 4th Fox Valley Scamp; 5th Delta Ozzie

CRA #22 March 24, 2004

Acting on a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #N85856, taken from the horse Paradise Beach N, the second-place finisher in the 10th race on July 18, 2003, at Cal Expo, tested positive for the prohibited drug 3-0-Methyl Colterol (Class 3), it is ordered that Paradise Beach N be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Paradise Beach N return all purse monies to the paymaster of purses at Cal Expo for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Perfect Waverly; 2nd Cold Affair; 3rd Veryunic; 4th Harry O; 5th Key By

CRA #26 March 24, 2004

Trainer Donald Ratchford, who started A Hearty Har Har in the 10th race on January 8, 2003, at Capitol Racing, Cal Expo, is hereby suspended for a period of 30 days commencing April 1, 2004, through and including April 30, 2004, for violation of CHRB Rule 1887 pursuant to CHRB Rule 1843 (Nefopam [Class 3]).

CRA #27 March 24, 2004

Acting on a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #N85034, taken from the horse A Hearty Har Har, the first-place finisher in the 10th race on January 8, 2003, at Cal Expo, tested positive for the prohibited drug Nefopam (Class 3), it is ordered that A Hearty Har Har be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5. It is further ordered that the owners of A Hearty Har Har return all

purse monies to the paymaster of purses for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Protocol; 2nd Corrupt Counsel; 3rd AC Double Take; 4th Musical Whirly; 5th Jazzimoto

CRA #132 July 24, 2004

Licensee Lisa Pilcher, who raced the horse Paradise Beach N in the 10th race on July 18, 2003, at Capitol Racing, Cal Expo, is hereby suspended for 30 days – Friday, July 23, 2004, through July 31, 2004, and September 24, 2004, through October 14, 2004, pursuant to CHRB Rule 1887 for violation of CHRB Rule 1843 (3-0-Methyl Colterol, a metabolite of Bitolterol [Class 3]).

Sonoma County Fair

SCF #9 July 21, 2004

Trainer Donald J. Mills, who started Mighty Forum in the 5th race on July 26, 2003, at the Sonoma County Fair, is hereby fined the sum of \$2,500 pursuant to CHRB Rule 1843 (Albuterol [Class 3]) in violation of CHRB Rule 1887.

SCF #10 July 21, 2004

Acting on a report from Truesdail Laboratories Inc., and a hearing having been held, the following order is hereby made: The horse Mighty Forum, who finished second in the 5th race on July 26, 2003, at the Sonoma County Fair, is hereby disqualified and deemed unplaced pursuant to CHRB Rule #1859.5 (Albuterol) in excess of the authorized decision level. The records of the racing secretary and paymaster are ordered changed to reflect this ruling. Further, owners Robert Bone, Jim Robinson, and Jayson Mullins are ordered to return the purse of \$1,800 to the paymaster by August 6, 2004.

Revised order: 1st Casino Express; 2nd Sweet on Me; 3rd Boca Rose; 4th Giants Party; 5th Incredible Year; 6th Orions Light; 7th Myra Jane

Bay Meadows Operating Company

BM #23 May 8, 2004

Pursuant to a stipulated agreement with the CHRB, trainer Rhoda J. March, who started the mule Jesse Perez, winner of the 3rd race at the Sonoma County Fair on July 25, 2002, is fined the sum of \$500 pursuant to CHRB Rule 1887 for violation of CHRB Rules 1482 (Employment of Unlicensed Person), 1843 (Scopolamine [Class 3], and Atropine [Class 3] in excess of the authorized decision level [67.7 ng /ml]), and 1895 (Trainer's Duty to Insure Licensed Participation).

BM #24 May 8, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #M4505, taken from the mule Jesse Perez, winner of the 3rd race at the Sonoma County Fair in Santa Rosa, California, on July 25, 2002, tested positive for the drug substance Atropine (Class 3) in excess of permitted level, and the prohibited substance Scopolamine (Class 3), it is ordered that Jesse Perez be disquali-

fied from all purse monies earned in the race in accordance with CHRB Rule 1859.5. It is further ordered that all purse monies (\$2,835) earned by Daniel J. Beatty, the owner of Jesse Perez, be returned to the paymaster for redistribution pursuant to CHRB Rule 1760.

Revised order: 1st Black Velvet; 2nd Doc Schliemer; 3rd Tsunami; 4th Hardwood; 5th Bella Ranch; 6th I'm Easy Jet Too; 7th Jeff McGee; 8th Sanger Red

BM #30 May 12, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #L65466, taken from the horse Spanish Prisoner, second-place finisher in the 1st race at Bay Meadows Race Course on August 31, 2001, tested positive for the drug substance Albuterol (Class 3) in excess of the authorized decision level, it is ordered that Spanish Prisoner be disqualified from all purse monies earned in the race in accordance with CHRB Rule 1859.5. It is further ordered that all purse monies (\$1,500) earned by Clayton Elrod, the owner of SPANISH PRISONER, be returned to the paymaster for redistribution pursuant to CHRB Rule 1760.

Revised order: 2nd Ignite a Spark; 3rd Brite Dancer; 4th Cari Jill's Magic

BM #36 May 19, 2004

In accordance with a proposed decision adopted by the CHRB on April 22, 2004, it is hereby ordered that trainer Donald Roberts, who started the horse Spanish Prisoner, second-place finisher in the 1st race at Bay Meadows Race Course on August 31, 2001, be suspended 30 days (May 22, 2004, to June 20, 2004) and fined the sum of \$2,000 pursuant to CHRB Rule 1887 for violation of CHRB Rule 1843 (Albuterol [Class 3] in excess of the authorized decision level [65.28 ng/ml]).

BM #42 May 29, 2004

Pursuant to a stipulated agreement with the CHRB, trainer William E. Morey, who started the horse Nickle Oakie, fifth-place finisher in the 4th race at Golden Gate Fields on January 30, 2004, is fined \$2,500 pursuant to CHRB Rule 1887 for violation of CHRB Rule 1843 (Albuterol [Class 3] in excess of the authorized decision level).

BM #43 May 30, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #P70236, taken from the horse Nickle Oakie, fifth-place finisher in the 4th race at Golden Gate Fields on January 30, 2004, tested positive for the drug substance Albuterol (Class 3) in excess of the authorized decision level, it is ordered that Nickle Oakie be disqualified from all purse monies earned in the race in accordance with CHRB Rule 1859.5. It is further ordered that all purse monies (\$400) earned by Valerie Rhoden, the owner of Nickle Oakie, be returned to the paymaster for redistribution pursuant to CHRB Rule 1760.

Revised order: 5th Wide Out; 6th Quite Careless

BM #48 June 11, 2004

In accordance with a stipulated agreement with the CHRB, trainer Sergio P. Ledezma, who started the horse Hezajewel, eighth-place finisher in the 5th race at Golden Gate Fields on February 11, 2004, is fined the sum of \$2,000 pursuant to CHRB Rule 1887 for violation of CHRB rule 1843 (Clenbuterol [Class 3] in excess of the authorized decision level).

BM #52 June 16, 2004

In accordance with a stipulated agreement with the CHRB, owner/trainer Armando Lage, who started the horse Grandpa Chan, winner of the 7th race at Golden Gate Fields on January 28, 2004, is fined the sum of \$2,000 pursuant to CHRB Rule 1887 for violation of CHRB rule 1843 (Clenbuterol [Class 3] in excess of the authorized decision level).

BM #53 June 16, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #P70225, taken from the horse Grandpa Chan, winner of the 7th race at Golden Gate Fields on January 28, 2004, tested positive for the drug substance Clenbuterol (Class 3) in excess of the authorized decision level, it is ordered that Grandpa Chan be disqualified from all purse monies earned in the race in accordance with CHRB Rule 1859.5. It is further ordered that all purse monies (\$11,000) earned by Armando Lage, the owner of Grandpa Chan, be returned to the paymaster for redistribution pursuant to CHRB Rule 1760.

Revised order: 1st New York P.D; 2nd King of Rulers; 3rd Harvest Festival; 4th Mr. Elusive; 5th Classic Kid; 6th Pronto One; 7th Big Feeler

Del Mar Thoroughbred Club

DMTC #84 August 21, 2004

The stewards, acting upon the direction of the CHRB, having been notified of a stipulated settlement and pursuant to CHRB Rule 1887, hereby fine trainer Leonard M. Duncan, who started the horse Artabegood in the 1st race on June 10, 2004, at Churchill Downs California Operating Company (Hollywood Park), the sum of \$2,000 for violation of CHRB Rule 1843 (Clenbuterol [Class 3] in excess of the authorized decision level).

DMTC #85 August 22, 2004

Acting upon a report from Truesdail Laboratories Inc., an official testing laboratory for the CHRB, that urine sample #P30401, taken from the horse Artabegood, the first-place finisher in the 1st race at Hollywood Park on June 10, 2004, tested positive for the prohibited drug Clenbuterol (Class 3) in excess of the authorized decision level , it is ordered that Artabegood be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Artabegood return all purse monies to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st La Tequilera; 2nd Ms Forty Second St; 3rd Noonday Idol; 4th Downtown Fresno; 5th Permission

Los Angeles Turf Club (Santa Anita)

LATC #89 March 27, 2004

Having entered into a stipulated agreement with the CHRB, and pursuant to CHRB Rule 1887, trainer Michael Ray "Mike" Mitchell is fined \$5,000 for violation of CHRB Rule 1843 (2-(1-Hydroxyethyl) Promazine [Class 2] in excess of the authorized decision level).

LATC #90 March 27, 2004

Acting upon a report from Truesdail Laboratories Inc., an official testing laboratory for the CHRB, that urine sample #N40433, obtained from the horse Sweet Stepper, the fourth-place finisher in the 3rd race at Del Mar on September 7, 2003, contained the prohibited medication 2-(1-Hydroxyethyl) Promazine (Class 2) in excess of the authorized decision level, it is ordered that Sweet Stepper be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859. It is further ordered that owners of Sweet Stepper return purse monies in the amount of \$3,700 to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 4th Yougottawanna; 5th Ulterior Motives

LATC #95 April 2, 2004

Acting upon a report from Truesdail Laboratories Inc., an official testing laboratory for the CHRB, that urine sample #N55016, taken from the horse Nicole's Apollo, the first-place finisher in the 9th race at the Los Angeles County Fair on September 14, 2003, contained the Class 3 substance Clenbuterol in excess of the authorized decision level, it is ordered that Nicole's Apollo be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owner of Nicole's Apollo (Tony Dee) return all purse monies to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Spectacular Chance; 2nd Mansilver; 3rd Waki American; 4th Sunny's Buddy; 5th Kalookan Star

LATC #102 April 8, 2004

Having entered into a stipulated agreement with the CHRB, and pursuant to CHRB Rule 1887, trainer Tony Dee is fined \$1,500 for violation of CHRB Rule 1843 (Clenbuterol in excess of the authorized decision level).

**Churchill Downs California Operating Co.
(Hollywood Park spring-summer meet)**

CDHP #126 June 30, 2004

The stewards, acting upon the direction of the CHRB, having been notified of a stipulated settlement and pursuant to CHRB Rule 1887, hereby fine trainer Caesar F. Dominguez, who started the horse Brother Indy in the 3rd race on April 5, 2002, at Bay Meadows Race Track, the sum of \$2,500 for violation of CHRB Rule 1843 (Hydroxyzine and Cetirizine [Class 3]).

CDHP #127 June 30, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #M65005, taken from the horse Brother Indy, the first-place finisher in the 3rd race at Bay Meadows Race Course on April 5, 2002, tested positive for the prohibited drugs Hydroxyzine and Cetirizine (Class 3), it is ordered that Brother Indy be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Brother Indy return all purse monies to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Limited Play; 2nd Sor De; 3rd Al's Wizard; 4th Kenny C; 5th Banners Flying

CDHP #150 July 14, 2004

The stewards, acting upon the direction of the CHRB, having been notified of a stipulated settlement and pursuant to CHRB Rule 1887, hereby fine trainer Mark B. Glatt, who started the horse Que Facil Carozon in the 3rd race on February 14, 2003, at Los Angeles Turf Club (Santa Anita), the sum of \$10,000 for violation of CHRB Rule 1843 (Hydroxycarisoprodol and Meprobamate [Class 2]).

CDHP #151 July 14, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #N15242, taken from the horse Que Facil Carozon, the first-place finisher in the 3rd race at Los Angeles Turf Club (Santa Anita) on February 14, 2003, tested positive for the prohibited drugs Hydroxycarisoprodol and Meprobamate (Class 2), it is ordered that Que Facil Carozon be disqualified from all purse monies earned in said race, in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Que Facil Carozon return all purse monies to the paymaster for redistribution in accordance with CHRB 1760.

Revised order: 1st Bye Bye Birdie; 2nd Stormy Spirit; 3rd I'mmuchthebest; 4th Papier Mache; 5th Hazen

Pacific Racing Association (Golden Gate)

GGF #90 February 27, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #N9077, taken from the horse Sultry Eyes, winner of the 10th race at the California State Fair and Exposition in Sacramento, California, on August 28, 2003, tested positive for the drug substance Clenbuterol (Class 3) in excess of the authorized decision level, it is ordered that Sultry Eyes be disqualified from all purse monies earned in the race in accordance with CHRB Rule 1859.5. It is further ordered that purse monies earned by the owner of Sultry Eyes, Porfirio Carrasco, be returned to the paymaster for redistribution pursuant to CHRB Rule 1760.

Revised order: 1st Molly's Gem; 2nd Royally Yours; 3rd Ways to Win; 4th Cee's a Flirt; 5th I'm a Lucky Gal; 6th I'll Survive

GGF #91 February 29, 2004

Owner/trainer Efrain H. Miranda is hereby suspended 30 days, March 1 through March 30, 2004, and fined the sum of \$2,000 pursuant to CHRB Rule 1887 for violation of CHRB Rules 1840 (Veterinary Practices and Treatments Restricted), 1843 (Medication in excess of the authorized decision level, Clenbuterol [Class 3]), and 1890 (Possession of Contraband: Needles and Syringes). All horses owned or trained by Efrain H. Miranda are denied entry pending transfer approved by the Board of Stewards.

Los Alamitos Quarter Horse Racing Assn.

LAQHRA #13 January 24, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #N8077, taken from the horse Signkite, who ran seventh in the 7th race at the Fresno District Fair on October 5, 2003, tested positive for Albuterol (Class 3) in excess of the authorized decision level, it is ordered that Signkite be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owner of Signkite, Ron Decanio, return purse monies to the paymaster for redistribution in accordance with CHRB Rule 1760.

LAQHRA #14 January 24, 2004

Trainer Jimmy Darrell Bumgardner is suspended 30 days (January 25, 2004, through February 23, 2004) and is fined \$1,500 for violation of CHRB Rules 1843 (Albuterol [Class 3]) and 1887.

LAQHRA #58 (UNDER APPEAL) April 13, 2004

Pursuant to CHRB Rule 1900 (Grounds for Suspension or Revocation), Blane Schvaneveldt is suspended for 45 days (April 19, 2004, through June 2, 2004) and fined the sum of \$2,500 for violation of CHRB Rules 1489 (Grounds for Denial or Refusal of License), 1887, 1890, and 1902 (Conduct Detrimental to Horse Racing).

LAQHRA #59 April 13, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #N21946, obtained from the horse Offdashn, the winner of the 4th race at Los Alamitos Race Course on November 7, 2003, contained the prohibited medication Clenbuterol in excess of the authorized decision level [Class 3]), it is ordered that Offdashn be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Offdashn return purse monies in the amount of \$4,125 to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Lolas Luck; 2nd Lace and Lies; 3rd Vels Do Good Chick; 4th Jettin N Dashin; 5th Chicks N Fine Genes

LAQHRA #157 September 19, 2004

Acting upon a report from Truesdail Laboratories Inc., an official laboratory for the CHRB, that urine sample #P25132, obtained from the horse Strawfly I Am, the winner of the 2nd

race at Los Alamitos Race Course on February 15, 2004, contained the prohibited medication Albuterol (in excess of the authorized decision level [Class 3]), it is ordered that Strawfly I Am be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Strawfly I Am return purse monies in the amount of \$4,730 to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st IM Taken the Cash; 2nd Scoopemup Willie; 3rd BF Easy Does It; 4th Let the Goose Loose; 5th Jims Oklahoma Hero

LAQHRA #158 September 19, 2004

Trainer Felipe Quintero, who started Strawfly I Am in the 2nd race at Los Alamitos Race Course on February 15, 2004, is fined \$1,500 pursuant to CHRB Rules 1887 and 1843 (Albuterol [Class 3]).

LAQHRA #159 September 19, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #N25552, obtained from the horse Call Me Corona, the winner of the 7th race at Los Alamitos Race Course on June 28, 2003, contained the prohibited medications Caffeine, Theophylline, and Paraxanthine (Class 2), it is ordered that Call Me Corona be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Call Me Corona (Vinewood Farms) return purse monies in the amount of \$4,125 to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st Hayabusa; 2nd Deal Buster; 3rd Elitism; 4th Hot Dash Vet; 5th Saprano's Play Boy

LAQHRA #160 September 19, 2004

Acting upon a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, that urine sample #N25584, obtained from the horse Red High Heels, the winner of the 6th race at

Los Alamitos Race Course on July 11, 2003, contained the prohibited medications Caffeine, Theophylline, and Paraxanthine (Class 2), it is ordered that Red High Heels be disqualified from all purse monies earned in said race in accordance with CHRB Rule 1859.5. It is further ordered that the owners of Red High Heels (Vinewood Farms) return purse monies in the amount of \$4,125 to the paymaster for redistribution in accordance with CHRB Rule 1760.

Revised order: 1st A Cashin; 2nd Cash for Cucu; 3rd My Blueberry Chick; 4th Dasani Late; 5th Run on Anything

LAQHRA #161 September 19, 2004

Pursuant to CHRB Rule 1900, trainer R.C. "Mike" Howell is suspended for 30 days (September 19, 2004, through October 18, 2004) and fined \$1,000 for violation of CHRB Rules 1843 (Caffeine [Class 2], two cases), 1887, and 1902.

California Exposition and State Fair

CESF #7 (UNDER APPEAL) September 3, 2004

Trainer Terri Eaton, who started Dikiti de Soi in the 3rd race on August 20, 2000, at the San Mateo County Fair, is hereby fined \$1,500 pursuant to CHRB Rule 1843 (Albuterol [Class 3]) in violation of CHRB Rule #1887.

CESF #8 September 3, 2004

Acting on a report from the Equine Analytical Laboratory at the University of California, Davis, an official laboratory for the CHRB, and a hearing having been held, the following order is hereby made: The horse Dikiti de Soi, who finished first in the 3rd race on August 20, 2000, at the San Mateo County Fair, is hereby disqualified and deemed unplaced pursuant to CHRB Rule 1859.5 (Albuterol [Class 3]). Further, owner Dr. Jerry Zebrack is ordered to return the purse to the paymaster.

Revised order: 1st Magellan FRSB; 2nd Sayhi Chap; 3rd Argonne HF; 4th Merlot; 5th Dark Shaat; 6th SH Sunstreak



Noble Threewitt was joined by other veteran trainers during a Santa Anita ceremony at the California Thoroughbred Horsemen's Foundation. The medical facility was renamed in his honor in recognition of his leadership and dedication to the CTHF program. Pictured with him from the left are John Sullivan, Henry Moreno, Ron McAnally, Leonard Dorfman, Warren Stute, Jerry Fanning, Threewitt, Jerry Dutton, Mel Stute, John Pappalardo, and Wally Dunn.

Benoit Photo

bliss of the 1980s and the growth and prosperity of the preceding decades. Racing icons like Bill Shoemaker and Charlie Whittingham were revered for their accomplishments. Some believed simulcast wagering would keep the revenue flowing into everyone's pockets. And if you go back far enough, it was a time when the authority of the stewards went virtually unchallenged.

By the time Wood came along, the business of racing in California was in a steep decline. On-track handle already had dropped by 50 percent – buoyed only by increases in in-state and out-of-state simulcast wagering, which produce less revenue for the major parties.

There was a dramatic shift of power from trainers to horse owners and the creation of the Thoroughbred Owners of California. It became more and more common for licensees to challenge the rulings of the stewards through appeals and litigation, which put those cases into the laps of the executive director and racing commissioners. And dramatic improvements in drug testing had unintended consequences by detecting trace amounts of drug substances in equine samples indicative of contamination and/or residues from legally administered drugs, rather than intentional wrongdoing, which led to CHRB rules establishing administrative levels for specific medications.

The job of the executive director is 24/7 and 365 days a year. There were very few evenings and weekends when Wood did not get a call or receive an e-mail at home. And most of them were not pleasant calls. When people are happy, they wait until Monday to let you know – if they notify you at all. Typically, a call or e-mail at home was just one more thing to worry about.

Despite the difficulties, Wood expressed some regret as his departure date neared and he was heading off to his adopted state of Louisiana with his wife, Gennie, whose respiratory problems contributed to his decision to retire at the age of 61 and move her to a climate better suited to her health needs.

"I've been involved in horse racing one way or another for over 30 years, and I've been a regulator for half that time, so you don't just walk away from that without feeling some sorrow, some emptiness," explained Wood. "When you are part of an industry for such a long time, you really care about it. And each step you take in your career becomes more important."

"I owned horses, bred horses, registered horses, identified horses, trained horses, and those jobs were fun, but not as rewarding as when I moved into the regulatory side of the business and found ways to improve the industry. As assistant to the executive director in Louisiana, I helped implement the decisions of the commissioners. Then when I became presiding steward at the Louisiana tracks, I was even closer to ac-

tion, more in tune with the industry, and more aware of things that needed to be changed.

"When I got to Texas as director of racing, I was in a position to select and assign all stewards and judges, supervise the pari-mutuel audits, deal with official veterinarians, and ensure that all racing departments operated in an efficient and orderly fashion.

"Finally, I arrived in California with a lot of anticipation and a great deal of respect for what I have always considered the best racing jurisdiction in the world. I had a very responsible job to try to help, protect, and improve racing. I am very appreciative and always will be grateful that I had an opportunity to be a part of California racing.

"I was fortunate to find an excellent staff of people already in place at the California Horse Racing Board to help and support me. I want to specifically mention Roy Minami, John Reagan, Paige Noble, Mory Atashkar, Mike Marten, and Mike Kilpack for their dedication and contributions. And I want to mention Nancy Ross, whose loyalty and support I can never repay. I don't believe the public and the industry always recognize the critical role played by the CHRB staff, but working with those people on a daily basis, I never had any doubt about their value to me.

"A person could not do this job without the backing and involvement of the racing commissioners. Again, I was fortunate to have their respect and support.

"So, when I think about the commissioners I've worked with – like Ralph Scurfield – and I think about the leaders I've worked with – people like Cliff Goodrich, R.D. Hubbard, Ed Allred, and Jack Liebau – and so many others too numerous to mention...well, I feel very lucky to have been associated with that class of people. So, yes, I regret leaving this job and leaving California.

"At the same time, I am looking forward to going back to Louisiana. We have many friends there. And nothing is more important to me than my wife, Gennie. She gave up a lot to come to California with me, so now I am going to give up a lot to help her feel better and to have a better quality of life."

Wood took a few minutes to reflect further on the last 11 years, to cite some of the accomplishments, note some of the shortcomings, and offer words of encouragement to those who will continue working in the industry.

"Wow, the 11 years went by so fast!" he said with a nod of the head, raising his palms for emphasis. "It seems like just yesterday that I arrived in California. What a feeling that was! Like everyone else new to the state, I was a little bit star-struck. After all, this is where movies were made. And horse racing had its own stars – people like Gary Stevens and D. Wayne Lukas. Whether you are talking about movies or politics or business, people are always fascinated by what goes on in California. It was a thrill for me to see Cigar run at

Del Mar, to witness two Breeders' Cups run in California during my 11 years, to see Richard Mandella win four Breeders' Cup races in one day...too many wonderful moments to mention them all.

"When I arrived, I didn't know what the major problems might be. I didn't know what the major concerns were. I knew there was increased competition from Indian gaming, from the growth of other major sports, and from other forms of entertainment, but I didn't know how that all impacted the horse-racing industry.

"I guess I was hoping that everything would be fairly stable – that it would be a smooth-running machine. Yes, I anticipated problems, but I hoped that I all I needed to do was raise the hood and tinker with the engine a bit to make everything run right. But it wasn't that way at all. I found many conflicts. The TOC and the California HBPA were in the middle of a fight. There were concerns about drug testing. There was conflict over race dates. This machine needed more than a quick tune-up.

"We made progress. We dealt with track safety issues, medication concerns, and pari-mutuel wagering issues. I believe we were the first jurisdiction to establish administrative levels for therapeutic medications. We are a progressive organization. Sometimes this shows up in small ways – like when we initiated the program to allow fans to watch the same replays that the stewards are watching during an inquiry. And how we insisted that the colors of saddle cloths be consistent at each track. And developing the regulation to permit alternate selections. By themselves, each of these innovations is a small thing, but when you group these and everything else together, the list is impressive.

"Advance Deposit Wagering, now there was an accomplishment. We created and adopted the account wagering regulations in less than five months! It goes to show you what can be done when the industry and the CHRB work together.

"I'm seeing the same kind of cooperation right now in the area of racetrack security and medication. For too long, this has been a frustrating issue for regulators, the public, and the

COMINGS AND GOINGS AT THE CHRB

Claudia Tobar joined the CHRB in August as a Racing License Technician I at Los Alamitos. She worked with the Hollywood Park Casino prior to coming to the CHRB.

Brooke Holton also joined the CHRB in August as an Office Assistant at Sacramento headquarters. Previously she worked for Longs Drug Store.

Ken Kirkman, Senior Special Investigator at Bay Meadows, retired in July after 27 years with the State.

John Olive, Senior Special Investigator at Los Alamitos, transferred to Patton State Hospital in November.

Norma Williams was promoted to Supervising Program Technician III over all of licensing in the CHRB.

Ericka Ramirez came to the CHRB in November as a Racing License Technician 1 in Northern California. She previously worked at Beverages & More.

industry. But now it has reached the point where the racing associations and horsemen are truly helping the regulators solve the problems. The racetracks are putting up more of their assets. The horsemen are on board. There is an unprecedented degree of cooperation with the CHRB. Some really good things are going to come from that cooperation."

Wood indicated he had probably gone on too long and said too much. He signaled an end to the interview and rose to leave. But something was nagging at him. He settled back down into his chair and gave these parting words:

"My biggest wish is that people involved in California horse racing would be more aware of how lucky they are and not dwell so much on the negatives. I think it is time for everyone to promote horse racing and be a more positive influence. I still think this is the best place in the world to race horses. No matter which people come and go through it, this industry will always survive."



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to other livestock species or even humans. These include, but are not limited to, rabies, tetanus, salmonella, ringworm, leptospirosis, trichinosis, anthrax, campylobacteriosis, screwworm, vesicular stomatitis, Lyme disease, Eastern, Western, West Nile and Venezuelan equine encephalomyelitis, cryptosporidiosis, brucellosis, glanders, melioidosis, Japanese encephalomyelitis, and acute equine respiratory syndrome caused by Hendra virus.

The horse industry also needs to be responsible members of the livestock industry to ensure we receive the same benefits as do our friends in the cattle and other livestock businesses – favorable tax rates, emergency relief funds, and funding for equine research.

Some people have expressed the concern that the inclusion of horses in the NAIS is an effort to legitimize horse slaughter for human consumption in foreign countries. This has never been part of the discussions, and quite to the contrary, a national equine identification system could help identify stolen, lost, and “designated not for slaughter” horses at the processing plants. The Texas Southwest Cattle Raisers Association is currently working on a horse identification program for this very purpose.

There are additional benefits NAIS will provide the horse industry by maintaining equine commerce and movement of horses in the case of a disease outbreak. Proactive disease prevention will assist equestrian events by ensuring a healthy environment for participating horses. A national equine identification database can expedite recovery and identification of horses in case of loss due to natural disaster, theft, or accident. By maintaining our ability to move our horses, we can facilitate the commercial import and export of horses for sales, breeding, and international competitions.

The Equine Species Working Group, mentioned earlier, evolved out of an American Horse Council Horse ID Task Force formed October 2003. At that time, the horse industry had been encouraged by NIAA and USAHA to participate in what was then called the U.S. Animal Identification Plan (USAIP). The alternative was to try to exempt horses from the USAIP and risk having state and federal health officials develop an equine identification plan for the horse industry. When the Mad Cow was discovered, and the USDA and Congress assumed control, we knew we had made the right choice to become involved and develop a program from the horse industry’s perspective.

Currently, 30 representatives of horse industry organizations including AQHA, The Jockey Club, USTA, HBPA, U.S. Equestrian Federation, AAEP, PRCA, and TRPB comprise the “working group.” We also have several state veterinarians, two USDA staff, and a representative from Equine Canada on our team. This group has met face-to-face four times this year and more often as sub-committees. We are in

the process of submitting detailed recommendations, which the USDA will publish for comment in January. Our focus has been to develop the parameters for a feasible plan that is cost effective and provides ancillary benefits to the horse industry. We have continually made the point that horses are unique within the livestock community in that they live longer, move more often, are generally more valuable, and already have sophisticated identification systems.

The USDA has initially taken the position that this will start as a voluntary program to develop, implement, and test the NAIS for each species. There is also concern for the confidentiality of animal ownership and movement records in respect to the Freedom of Information Act. Eventually, a national plan to protect animal health will be exempted from FOIA and more than likely become mandatory to insure cooperation at the areas of greatest risk – fairgrounds, auctions, breeding farms, horse shows, racetracks, and rodeo arenas. The transition from voluntary to mandatory will be accomplished in phases over the next several years, especially for horses, which are not the priority. But all this could change with another outbreak of an infectious foreign disease in the U.S.

How will NAIS affect horse racing and the breeding industry? While all of the current methods of horse identification are expected to remain in place, eventually we have to be able to uniquely identify each horse. Lip tattoos, unique freeze brands (numbers or a combination of symbols), and microchips are currently the best methods to accomplish this task. We anticipate the use of microchips will expand in the near future as an affordable, effective identification method.

We are also considering the adoption of the Unique Equine Life Number (UELN), which is a 15-character number that starts with a three-character country code (840 for USA) and a three-character breed ID number (006 for Quarter Horses). The remaining nine characters will be random and could possibly be adopted as the breed registration number. These recommendations will probably be included in the USDA publication for NAIS “Uniform Methods and Regulations” in January.

Security is always an issue with horse identification because of the concern with running the wrong horse in a race, whether intentionally or accidentally. The use of microchips should help in the rapid identification of horses in the paddock. The identifier’s allotted time to examine a field of 10 or more horses is limited, and can be compromised by an unruly horse or a bunch of two-year-old, first-time starters. Scanning a horse’s neck for a microchip with a palm-sized reader can be quick and effective. But, and I emphasize “but,” the identifier must still look at the entire horse for sex, color, markings, and lip tattoo to make certain he or she has the right horse.

Microchips will also be an asset to identifying horses on the farm, in the breeding shed, at horse sales, and at training centers. Horses often travel without their registration certificate; halters can be inadvertently switched; and sometimes a van driver doesn't know for sure which horse he has. Scanning a microchip and checking with an equine industry database will save time and mistakes.

The question is often asked as to whether microchips can be altered, switched, counterfeited, or otherwise changed. The ESWG is researching all aspects of microchips and the experience of other countries that have instituted the use of microchips, such as England, Ireland, Australia, France, and other European Union countries. For the most part, microchips have proved to be a very effective method of identification. Most microchip companies advertise at least a less than one in a million failure rate. We would be naïve to think a microchip can never be altered or duplicated, but many of the microchip companies have elaborate security systems built into their chips and readers for that very reason.

Louisiana state law requires that all horses be uniquely identified by tattoo, brand, or microchip at the time of Coggins testing. According to the Louisiana State Veterinarian's office, most people choose to have their veterinarian in-

sert a microchip. So far, over 200,000 horses have been successfully chipped with "less than a handful" of problems, usually with the injection of the microchip by the owner.

The ESWG is working on the parameters of a 2005 pilot project for the development of a national horse identification system with the Kentucky Department of Agriculture and State Veterinarian's office. We plan to microchip 2,000 show and race horses. As part of the plan, we will research the effectiveness of the microchip, and try to alter or deactivate a microchip in a dead horse.

As you can see, we still have a long way to go in developing, testing, and implementing a national equine identification system. The most important factor is that the horse industry is seeking to develop a user-friendly program instead of leaving the details to state and federal animal health officials who admittedly are more concerned and familiar with cattle, swine, sheep, and other food and fiber livestock. For more information and continued updates on the development of this plan, please go to the American Horse Council Website (www.horsecouncil.org).



TCO2

(Continued from page 1)

cent at the Oak Tree meet, even at 37 millimoles.

Even one positive is too many. The CHRB adopted this tough view by authorizing for public notice in September a regulation specifically banning the administration of alkalizing agents and establishing a maximum TCO2 level of 37 millimoles in blood serum or plasma. I apologize for not pushing this matter more quickly, although there was a roadblock to the proposed regulation, as it is in conflict with Section 19577 (Split Sample) of the Business and Professions Code. We are in the process of dealing with that roadblock by working with others to have the statute amended.

Meanwhile, the proposed regulation is ready for public notice and will be published by the Office of Administrative Law (OAL) on November 19. The public will have 45 days to comment on the proposed regulation. The Board could conduct a public hearing and approve the regulation in January 2005. The approved regulation would then go to OAL for review, and then to the Secretary of State. These reviews by other state agencies typically add 30 to 60 days to the process. However, we will make this an emergency regulation, which would make it effective 10 days after submission to OAL. But no matter how quickly we move the regulation, it cannot take effect until the law is changed. We can go through our regulatory process, but OAL has informed us that the statute change would need to be completed before they would accept and approve the regulation.

Some wonder why we need a new regulation at all, given that other regulations already address unauthorized substances. CHRB regulations do prohibit the administration of any substance within 48 hours of a race except for specifically authorized substances. These authorized substances include an approved bleeder medication, a non-steroidal anti-inflammatory drug, an approved anti-ulcer medication, injectable vitamins, electrolyte solutions, amino acid solutions, and a tetanus antitoxin if a horse has sustained a wound.

Milkshakes (increased amounts of alkalizing substances) are not among the authorized substances, so their administration would be a violation of CHRB rules and state law. However, carbon dioxide is natural to the horse, so without catching someone in the act of administering a milkshake within 48 hours of a race, the mere detection of any carbon dioxide in equine samples would not in itself indicate wrongdoing. The new regulation will permit us to differentiate between what is natural to the horse and what is the result of an alkalizing substance being administered to the horse, by measuring the amount of TCO2. A level of 37 millimoles or higher would indicate an excessive amount of an alkalizing substance had been administered.

Statute 19577 currently requires that a duplicate be taken of all blood and urine samples from horses for the purpose of split sample testing. The statute specifically grants licensees

the right to have the split samples tested if the first sample shows a prohibited substance or even a therapeutic medication with a level exceeding established thresholds. But TCO2 testing does not lend itself to split-sample testing because of the rapid dissipation of carbon dioxide from the blood samples. Even experts do not agree on how quickly this dissipation occurs, but 96 hours would seem to be the outside limit.

There does not appear to be a way to test the original sample, notify the owner or trainer of the horse, and then have the split sample tested within 96 hours. We have discussed numerous alternatives, but have found none that would clearly allow the CHRB to enforce the regulation and still meet the provisions of the statute. Therefore, in order to implement the proposed regulation, the statute would need to be amended to exempt TCO2 testing from the split-sample requirement. Staff met with Derry Knight, our counsel in the Attorney General's Office, and came to an agreement on language that would amend the statute by exempting TCO2 testing. I asked Sherwood Chillingworth, executive vice president of Oak Tree, to help arrange for an author to sponsor a bill to amend the statute. He referred me to their lobbying firm, and I spoke with Anthony Gonsalves. I sent him the proposed amendment language, and he will secure an author. With an urgency provision, he estimated that if everything were to go smoothly, we could complete this matter by March or April. We also have added language that deems this an emergency for purposes of the Administrative Procedures Act. This would allow us to submit the proposed emergency regulation to OAL immediately after the governor signs any amendment to Statute 19577. It would become effective 10 days later.

In the interim, TCO2 testing is continuing at Hollywood Park, which like Oak Tree, is administering the test as part of its stall allocation process. It will also continue when the Santa Anita meet starts December 26. There are drawbacks to this voluntary program in that racing associations are somewhat limited in the actions they may take against offenders, so it is important that the CHRB implement a regulation as soon as the law allows, but the testing by racing associations is a reasonable stop-gap measure. Such a testing protocol has been a standard in the harness industry in California for many years and is handled completely by the racing associations and the horsemen.

SECURITY

The Ad Hoc Security Committee has met eight times since its creation last December. Commissioner Bianco and former Commissioner Roger Licht have been active on that committee. Initially the committee considered detention barns as a way to improve the public perception of horse racing and to provide the desired level of security. However, some horsemen and racing associations considered this pro-

posal impractical and one that might have unintended negative impacts on performance. As an alternative, the committee explored the use of camera surveillance systems in the stable area. After months of review and considerable expense (e.g. the Del Mar Thoroughbred Club spent more than \$100,000 on its camera experiment), the consensus was that cameras were not the immediate solution we seek, principally because of cost issues.

Del Mar and Oak Tree provided new direction for the committee and the industry when those associations financed continued TCO2 testing and assigned security guards to the stalls of all horses entered in graded stakes. And with additional funding from the Thoroughbred Owners of California (TOC), those guards were equipped with hand-held cameras to record activities in those stalls. Oak Tree expanded on these additional security measures by re-assigning two of the regular security staff full-time to the stable area to monitor horses entered to run. Additionally, on days when there were no graded stakes, Oak Tree agreed to provide guards for a race selected randomly by the stewards. As with the case of graded stakes, those guards took positions at the stalls of the entered horses six hours prior to post and recorded activities with the hand-held cameras. And to better monitor the comings and goings of licensees in the stable area during non-work hours, the guards at the stable gates entered the names and CHRB license numbers of individuals entering and leaving the stable area between 8:30 p.m. and 4 a.m. Another proposal for the guards to check the lip tattoos of horses moving in and out of the stable area to verify their identities was never implemented because of safety concerns. The guards at security gates are not trained or qualified to enter a confined space of a horse in transit and lift the lip to check the tattoo.

Hollywood Park has implemented the same security enhancements during the fall meet. I personally met with Hollywood Park executives and discussed these matters prior to the start of their meet. We have been advised that the Los Angeles Turf Club will implement a similar program for the winter meet at Santa Anita Park.

It is not our intent to have these voluntary security programs continue indefinitely. Commissioner Bianco will be presenting to the full Board a proposal to require these and perhaps other security enhancements at each non-fair race meet in California. This could be accomplished by regulation or by requiring that racetrack license applications include a security plan containing the required elements.

The CHRB staff will remain committed to the goal of improving security in order to provide a level playing field for all participants and to improve the public perception and confidence in California horse racing.



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